

REMARKS

Claims 1-27 are all the claims pending in the application. The claims have been amended to make editorial changes without changing the scope of the claims.

Entry of the above amendment is respectfully requested.

Drawings

On the Form PTO-948 attached to the Office Action, the Draftsperson has objected to the drawings filed with the application.

In response, Applicants submit herewith drawings to resolve the objection raised by the Draftsperson. Accordingly, withdrawal of the objection is respectfully requested.

Anticipation Rejection

On page 2 of the Office Action, in paragraph 2, claims 1, 2 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Makino et al. (U.S. Patent 5,634,900).

The Examiner's Position

The Examiner's position is that Makino discloses a powdered medicine multi-dose device comprising: medicine storage chamber 3, a medicine container unit 10, a medicine-guiding unit 5, means communication with a hole 3b, and a pump unit 8.

Applicants' Response

In response to this rejection, Applicants note initially that the present invention relates to an improved version of the powdered medicine multi-dose administering device disclosed in U.S. Patent No. 6,488,648 (US '648), which is cited in the present application as reference "D" on the PTO-892 form attached to the Office Action.

Applicants also note that in this Office Action, the Examiner cited Makino et al. (U.S. Patent No. 5,634,900), which was also cited in US '648. Applicants note that US '648 issued without the need for substantial amendments to the claims as filed, so Applicants believe that the arguments presented in the prosecution of US '648 should also apply to this application, as discussed below.

As the Examiner correctly pointed out in the Office Action, Makino discloses a powdered medicine multi-dose device comprising: medicine storage chamber 3, a medicine container unit 10, a medicine-guiding unit 5, means communication with hole 3b, and a pump unit 8.

However, Makino does not teach or suggest anything about the most important features (a) and (b) of the present invention as claimed in claims 1 and 27:

(a) The medicine container unit (5b) is provided under the bottom surface of the medicine storage chamber (5a). In this connection, Applicants note that both the multi-dose storage chamber (5a) and the single-dose container unit (5b) are formed in the same stationary element.

Contrary to this, in Makino, the storage chamber (3) is stationary and the accommodation chamber (10) of the rotor (6) is movable.

(b) The medicine guiding unit (2) is formed as a separate element which is movable between a filling position and administering (discharge) position. The medicine guiding unit (2) has an opening (25) which communicates, in the filling position, the storage chamber (5a) with the container unit (5b) and a passage which communicates, in the administering (discharge) position, the container unit (5b) with the outside.

Makino does not teach or suggest such a single movable means having both an opening and a passage which alternately communicate with the single-dose medicine container unit (5b), in the filling position and administering (discharge) position, respectively.

Thus, Applicants submit that the present invention is not anticipated by Makino et al, and withdrawal of this rejection is respectfully requested.

Allowable Subject Matter

On page 2 of the Office Action, in paragraph 3, the Examiner has objected to claims 3-26 as being dependent upon a rejected base claim, but has indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for indicating that claims 3-26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the above remarks, Applicants submit that the base claim should be allowable, so allowance of all the claims is respectfully requested.

Conclusion

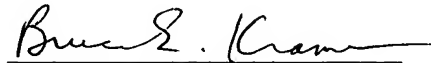
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/049,279

Attorney Docket Number: Q68497

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

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Date: May 10, 2004